

Perjury case WPC welcomes call for inquiry

DAN MCDUGALL CRIME CORRESPONDENT

CAMPAIGNERS for a former Scots police officer who lost her job after she was wrongly accused of leaving her fingerprint at a murder scene, last night called for a full public inquiry into her case.

Supporters of ex-Strathclyde WPC Shirley McKie, spoke out after publishing fresh evidence which they claim casts further doubt on the decisions which led to her being charged with perjury six years ago.

Ms McKie, 39, welcomed the calls, claiming she felt no nearer to justice six years after being cleared of perjury by the courts. She said: "I can't believe that after almost six and a half years I am back again trying to get someone out there to take responsibility for this."

Ms McKie was one of the Strathclyde officers on duty after the murder of Ayrshire woman Marion Ross, who was found stabbed at her Kilmarnock home in January 1997.

Following the arrest of local man David Asbury for the spinster's murder, his subsequent 13-day trial at the high court later that year heard defence claims that a fingerprint belonging to Ms McKie had contaminated the murder scene.

However, under oath the WPC maintained that, although she was one of the first officers to arrive at the scene, she had never been in Ms Ross's house. Despite the defence argument that the murder scene had been contaminated by police incompetence, the jury at the High Court in Glasgow convicted Asbury on other fingerprint evidence provided by the Scottish Criminal Records Office and he was sentenced to life imprisonment.

Ten months after the conviction, Shirley McKie was charged with perjury and suspended by Strathclyde Police for allegedly lying on oath, although she was later fully acquitted of any wrongdoing.

Yet despite the outcome of the case - and the subsequent release of Asbury on appeal due to flawed evidence - the former Ayrshire WPC is still fighting the Scottish Criminal Records Office for compensation.

Last night, a leading clinical psychologist who carried out an examination of Ms McKie on behalf of Strathclyde Police at the height of the perjury inquiry, spoke out for the first time on the case, claiming his original report into the matter was ignored by police.

Professor Colin Espie, a professor of clinical psychology at Glasgow University, was asked by Strathclyde Police to assess Ms McKie's mental state while she was under investigation for contaminating the murder scene.

In his report, he insisted she was telling the truth when she denied the fingerprint was hers. He wrote: "I would regard her as a reliable historian and her story has a ring of truth."

Prof Espie claimed yesterday that he believed his report had been ignored by the police and he had even written to Jim Wallace, the former justice minister, to express his concerns about the case.

He said: "The straightforward explanation was that Shirley McKie was telling the truth and deserves justice. My great sadness about the whole thing is that nobody took that possibility seriously at the time."

Former SNP MSP Mike Russell, who has been one of Ms McKie's most vocal supporters, added that the new evidence in the case meant there must be a public inquiry.

He said: "All of this adds up to a major problem for Scottish justice and I'm suggesting that the time has come for a full public inquiry under an independent chairman.

"The issue of Ms McKie's compensation must also be settled." Mr Russell was backed last night by independent fingerprint expert and former Scotland Yard forensic officer, Allan Bayle, who said he was convinced the mark left at the scene did not belong to Ms McKie.

He also warned that the whole case had tarnished the reputation of Scottish justice across the world.

"It's getting so damaging that in the end no-one is going to accept any fingerprint evidence from Scotland," he said.

A spokesman for the Executive said that in light of the case the fingerprint bureau had undergone a "detailed, rigorous and thorough independent review" by Her Majesty's Chief Inspector of Constabulary in 2000 which made 25 recommendations and 20 suggestions.

He said: "A review inspection carried out this year has confirmed that progress on this case continues to be made. A civil action has been raised on behalf of Ms McKie, but beyond that I cannot comment on the case as the matter is sub judice."

Fingerprint at heart of dispute

AYRSHIRE spinster Marion Ross was found murdered on the morning of 8 January, 1997. The former bank clerk had been subjected to a vicious attack, the force of which had crushed her ribs into her chest. She had also been stabbed in the eye with a pair of scissors, which were left stuck in her throat.

Among the police officers arriving at the Ross household that morning was Shirley McKie, although she did not enter the house.

Following a police investigation, a local man, David Asbury, a joiner, from Kilbirnie, Ayrshire, was charged with murder.

During Asbury's trial at the High Court later that year, the jury heard defence claims that a fingerprint belonging to Ms McKie had allegedly contaminated the scene of the crime, but under oath the WPC maintained she had never been in Ms Ross's house.

Despite the defence argument that the murder scene had been contaminated by police incompetence, the jury at the High Court in Glasgow convicted Asbury on other fingerprint evidence provided by the Scottish Criminal Records Office.

Asbury was sentenced to life imprisonment.

However, ten months after the conviction, Shirley McKie was charged with perjury and suspended by Strathclyde Police for allegedly lying on oath at Asbury's trial.

McKie was charged on the strength of evidence provided by three officers from the SCRO, plus a prosecution scientist who had testified that the print at the crime scene was hers.

In May 1999, the case was finally brought to court, but McKie was acquitted of perjury after a High Court jury heard evidence from two independent forensic experts from the US that it was not her fingerprint.

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